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As of late, the Intellectual Property laws being passed are being written by content providers with only their interests in mind. The intellectual property provisions in the US Constitution were written to maximize the amount of works that are readily accessible to the public so as to have an enriched populace. Our founding fathers wisely understood that compensation to authors was a requisite to the production of works for consumption by the populace, however, they also realized that for such works to remain accessible, that author's rights must be "limited."

As large content corporations have been largely responsible for both writing recent legislation, like the constitutionally questionable Digital Copyright Millennium Act, and receiving campaign donations from same, the maximization equation envisioned by the founding fathers has been skewed so as to make access to works more difficult and restrictive than necessary. The "flag" on digital television broadcasts would unreasonably restrict fair use of said works making them more difficult to enjoy by honest citizens.

For example, cable television boxes are now required in many areas for "advanced television features" that really amount to a form of copy protection of broadcasts for premium channels. These boxes result in increased difficulty for average citizens who must integrate these units with TiVos, VCRs, Stereo Receivers, etc., yet do nothing to stop those of illegitimate minds who simply buy illegal descramblers and steal cable. The irony for all of these laws is that they cause already honest minded citizens to suffer increased difficulty and expense while decreasing access to content, and at the same time those that are dishonest remain unaffected and unrestricted. Thus, such laws reward the dishonest while punishing the honest.

This proposed digital "flag" legislation will result in the same irony as all such technological copy protection fails to be effective from minds bent on obtaining such material. That the content providers argue to the contrary is ignoring the reality of history, and that of foreign entities that are not subject to the unilateral rule of US law. As such, I humbly request that the FCC and the US consider writing laws that tip the balance of content access in favor of its citizenry, rather than to its rich campaign giving corporations.

Sincerely,

John Kheit